

Chevy Chase Village Board of Managers

June 13, 2011

BOARD OF MANAGERS

Patricia S. Baptiste, Chair	Present
Peter T. Kilborn, Vice Chair	Present
Allison W. Shuren, Secretary	Present
Richard Ruda, Assistant Secretary	Present
Lawrence C. Heilman, Treasurer	Present
Gary Crockett, Assistant Treasurer	Present
David L. Winstead, Board Member	Present

VILLAGE COUNSEL

David R. Podolsky, Legal Counsel	Present
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STAFF

Shana R. Davis-Cook, Village Manager	Present
Adventino Dasilva, Police Sergeant	Present
Michael W. Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present
Grace Brock, Administrative Assistant/Community Liaison	Present
Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:32 p.m.	

Approval of Minutes from the Board's Previous Meetings Held on April 11, 2011 and May 16, 2011. Action to approve the minutes of the Board's regular and executive sessions held on Monday April 11, 2011 and May 16, 2011.

Mr. Winstead made a motion to approve the Action Item Minutes from the April 11, 2011 Board Meeting. Ms. Shuren seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, and Mr. Winstead voted in favor of the motion. The motion passed.

Mr. Winstead made a motion to approve the April 11, 2011 Executive Session Minutes. Ms. Shuren seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, and Mr. Winstead voted in favor of the motion. The motion passed.

Mr. Crockett made a motion to approve the Action Item Minutes from the May 16, 2011 Board Meeting. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Mr. Crockett made a motion to approve the May 16, 2011 Executive Session Minutes. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Consent Agenda

Administrative Review of Case 5931: Mr. and Mrs. Charles Hobbs, 33 West Kirke Street— Building Permit and License to use the Public Right-of-Way to replace a wood fence with a painted aluminum fence measuring thirty-nine (39) inches in height in the Cedar Parkway public right-of-way.

Administrative Review of Case 5930: Mr. and Mrs. William C. Maloni, 5 Chevy Chase Circle— Building Permit and License to use the Public Right-of-Way to relocate a fence measuring forty-eight (48) inches in height in the Magnolia Parkway public right-of-way.

Mr. Winstead made a motion to approve the Consent Agenda for Case Numbers 5931 and 5930. Mr. Crockett seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Appeals

A-5917: (Special Permit) Mr. and Mrs. Andrew Marino, 11 Primrose Street— Demolition of a detached garage.

Mr. Ruda made a motion to direct Counsel to draft a decision approving the request for a special permit for demolition of a detached garage. Dr. Heilman seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Legal Counsel Report

The Legal Counsel report was distributed prior to the meeting. No action was taken by the Board.

Treasurer's Report

The Treasurer's report was distributed to the Board prior to the meeting.

The Board asked staff to meet with the SafeSpeed Program Vendor ACS State and Local Solutions, Inc. regarding the Board's concerns about a response rate from the SafeSpeed delinquent collections efforts.

Update on Chevy Chase Open Space

The Board asked staff to speak with Brenda Sandberg regarding the Chevy Chase Open Space Meeting and its format. The Board requested that staff ensure that the meeting, which is scheduled for on Wednesday, June 15, 2011, will be for informational purposes and to outline general objectives, and not intended to be a charette.

Old Business

Sidewalk Replacement Project

Mr. Kilborn made a motion to approve the modification to the ADA handicap ramp upgrade construction to complete all ramp installations in FY2012. Dr. Heilman seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Dr. Heilman made a motion to approve schedule number one as outlined in the report circulated by the Director of Municipal Operations, Mr. Micheal Younes, prior to the meeting, to complete the Village-wide sidewalk replacement project. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Mr. Crockett made a motion to authorize the Village Manager to enter into a contract with Scango Consulting, LLC d.b.a Capital Hardscapes to obtain construction services and materials for the Village-wide sidewalk replacement project. Dr. Heilman seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Mr. Crockett made a motion to authorize the Village Manager to enter into contract with D & F Construction, Inc, to obtain construction services and materials for the ADA Handicap ramp upgrade project. Mr. Kilborn seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Mr. Kilborn made a motion to approve a supplemental appropriation in the amount of \$436,952.00 from SafeSpeed reserves to SafeSpeed Capital Projects/Sidewalk Replacement in the FY2012 budget. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Board Discussion and Action on Resolution No. 05-01-11

Review of amendments to the draft Ordinance to amend Chapter 10 of the Chevy Chase Village Code, including the weight limit for items collected through the special pickup program, elimination of the proposed prohibition on a hazardous waste collection program and a clarification of Section 10-14, entitled “liquids and gases”.

Mr. Crockett made a motion to approve the amendments to Chapter 10 of the Chevy Chase Village Code, including the weight limit for items collected through the special pickup program, elimination of the proposed prohibition on a hazardous waste collection program and a clarification of Section 10-14, entitled “liquids and gases” with the following amendments: Page 8: “Section 10-7. Special Pickups of rubbish insert: ‘and hazardous waste’.” “The Village will make special pickups of rubbish insert, ‘and separate pickups of hazardous waste’, by arrangement...”. “Section 10-8. Exceptions” First paragraph, line 3: delete “hazardous waste”. Mr. Ruda seconded the motion. Mr. Kilborn seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Review and Discussion on Revised Minutes Drafting Format

The Board unanimously decided to adopt the action only format for the Board Meeting minutes, pending the Governor’s approval of pending legislation, which would authorize audio and video recordings to serve as the official record of municipal meetings.

New Business

Contract Extension Request—Extension of contract with *Lindsey and Associates* to provide independent auditing services.

Dr. Heilman made a motion to approve the one-year contract extension request for Lindsey and Associates. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Review and Approval of a Memorandum of Understanding between Montgomery County and Chevy Chase Village for Emergency Debris Management

Mr. Crockett made a motion to approve the Memorandum of Understanding between Montgomery County and Chevy Chase Village for Emergency Debris Management, which was circulated prior to the meeting. Dr. Heilman seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Discussion of a Proposed Project to Install an Equipment Cover in the Public Works Yard

Following a discussion of the Village Manager's presentation of a request to install an open equipment shed in the Pubic Works Yard to house essential equipment currently maintained within the building, Mr. Ruda made a motion to authorize the Village Manager to enter into a contract with Paul Wiger t/a Construction Remodeling Services to construct an open equipment shed in the Public Works Yard in the amount of \$14,500. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed.

Manager's Report

The Manager's Report was circulated to the Board prior to the meeting. No action was taken by the Board.

Police Report

The Police Report was circulated to the Board prior to the meeting. No action was taken by the Board.

Staff Reports

Building and Tree Removal Permits and Permitting & Code Enforcement Activity Reports

The Building and Tree Removal Permit and Permitting & Code Enforcement Activity Report was circulated to the Board prior to the meeting. No action was taken by the Board.

The Board requested that he Village Arborist attend the July Board Meeting to discuss PEPCO's pruning and tree removal operations.

Capital and Infrastructure Upgrade Projects Report

The Capital Infrastructure Upgrade Projects report was circulated to the Board prior to the meeting. No action was taken by the Board.

Village Hall Activity Report

The Village Hall Activity Report was circulated to the Board prior to the Meeting.

Mr. Kilborn requested that the Village Hall Activity Report also include the revenues from the hall rentals for each month.

Mr. Winstead made a motion to adjourn the open meeting to convene in closed session pursuant to State Government Article Section 10-508 (a) (1) (i) to discuss the performance evaluation of an official and/or employee over whom it has jurisdiction, namely the Village Manager.. Dr. Heilman seconded the motion. Ms. Baptiste, Mr. Kilborn, Ms. Shuren, Dr. Heilman, Mr. Ruda, Mr. Crockett and Mr. Winstead voted in favor of the motion. The motion passed. The open meeting adjourned at 10:02 p.m.

Secretary, Chevy Chase Village Board of Managers

Reviewed by:MWY;SDC